IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

WP(C).No. 25830 of 2007(Y)

PETITIONER:

T.SASIDHARAN,
UDAYAMANGALAM, PONGUMMOODU, MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.AJITH KRISHNAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, PUBLIC WORKS DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY,
FINANCE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE CHIEF ENGINEER,
P.W.D. BUILDINGS AND LOCAL WORKS,
THIRUVANANTHAPURAM.

4. THE SUPERINTENDING ENGINEER,
PWD BUILDINGS AND LOCAL WORKS (SC),
THIRUVANANTHAPURAM.

5. THE EXECUTIVE ENGINEER,
PWD BUILDINGS DIVISION, THIRUVANANTHAPURAM.

6. THE DIRECTOR,
DEPARTMENT OF MUSEUM AND ZOO, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 25830/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE LETTER NO.BSC/2833/06/D2 DT.12/7/06 ISSUED BY 4TH RESPONDENT ADDRESSED TO 3RD RESPONDENT.

EXT.P2: TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT VIDE NO.EC/HL/TVM/5464/2006 DT.15/9/06.

EXT.P3: TRUE COPY OF THE REPRESENTATION DATED 5/7/07 SUBMITTED BY PETITIONER BEFORE THE RESPONDENTS.

//TRUE COPY//

ANTONY DOMINIC, J.
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W.P.(C) NO. 25830 OF 2007 Y
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Dated this the 9th day of October, 2007

J U D G M E N T

Petitioner was made to execute certain works. However, payment has not been released fully, and even now, amounts remain unpaid. It is his case that an amount of Rs.2,43,179/- is still due.

2. On the other hand, the respondents would submit that special letter of credit has not been received from the Government for making payment to the petitioner. Even if a special letter of credit is a procedural requirement for the respondents for releasing payments to the contractor, that cannot be a reason for making a person wait endlessly for payment for the work he has done. This requirement should be complied within a reasonable time and if admitted amounts are due, that should also be paid.

3. In the aforesaid circumstances, the 6th respondent is directed to ensure that the amount admitted to be due to the

petitioner shall be paid to him, within eight weeks of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 6th respondent for compliance.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp